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Haynes and Boone, LLP
901 Main Street, Suite 3100
Dallas, TX 75202

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OFFICE OF THE DIRECTOR
TC 3600

In re application of
Jeffrey Mark Zucker
Application No. 09/100,671
Filed: June 19, 1998
For: THIRD PARTY PRIVACY SYSTEM

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**DECISION ON REQUEST
FOR WITHDRAWAL OF
ATTORNEY**

This is a decision on the request filed on April 5, 2004 under 37 CFR 1.36 and MPEP 402.06, requesting permission to withdraw as the attorney of record in the above-identified application.

The request is **NOT APPROVED** as MOOT.

Under 37 CFR 1.36 an attorney may withdraw only upon application to and approval by the Commissioner. It should be noted that a withdrawal is effective when approved, not when filed. Besides giving due notice to his or her client and delivering to the client all papers and property to which the client is entitled as specified under 37 CFR 10.40, approval of such a request requires that the following conditions be met:

- A) Each attorney of record must sign the notice of withdrawal, or the notice must contain a clear indication of one attorney signing on behalf of another, because the Office does not recognize law firms;
- B) A proper reason for the withdrawal as enumerated in 37 CFR 10.40(b) or subsection (1)-(6) of 37 CFR 10.40(c) must be provided; and
- C) If withdrawal is requested in accordance with 37 CFR 10.40(c) above, there must be at least 30 days between approval of the withdrawal and the later of the expiration date of a time period for reply or the expiration date of the period which can be obtained by a petition and fee for extension of time under 37 CFR 1.136(a).

The request to withdraw as attorney in the above-identified application is not approved as moot because the power of attorney has already been withdrawn as per the Notice to that effect mailed July 16, 2004. As a result of this Notice, the power of attorney has been granted to the practitioners at the address noted above.



Steven N. Meyers
Special Programs Examiner
Patent Technology Center 3600
(703) 308-3868

SNM/vdb: 7/26/04

cc:

Jimmy L. Heisz
Hitt Gaines, P.C.
P.O. Box 832570
Richardson, TX 75083